



UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
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WASHINGTON, DC 20231
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JUN 14 2002

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700 11th Street N.W.
Suite 500
Washington, D.C. 20001

MAILED
JUN 14 2002
OFFICE OF THE DIRECTOR
TC 3600

In re application of :
Tokimori Tomita et al :
Application No. 08/864,762 :
Filed: January 28, 1994 :
For: SERVICE POINT MANAGEMENT :
SYSTEM FOR USE IN SALE :
PROMOTION SERVICES :

DECISION ON PETITION
TO RESET A PERIOD
FOR REPLY

This is in reply to the Petition to Reset a Period for Reply Due to Late Receipt of an Office action, received in the Patent and Trademark Office on February 12, 2002. There is no fee required for this petition.


The petition is **DISMISSED**.

In accordance with MPEP 710.06, the Office will grant a petition to reset the period for reply when the following criteria are met: (A) the petition is filed within 2 weeks of the date of receipt of the Office action at the correspondence address; (B) a substantial portion of the set reply period had elapsed on the date of receipt (e.g. at least 1 month of a 2- or 3- month reply period had elapsed); and (C) the petition includes (1) evidence showing the date of receipt of the Office action at the correspondence address, and (2) a statement setting forth the date of receipt of the Office action at the correspondence address and explaining how the evidence being presented establishes the date of receipt.

A review of the file record reveals that an Office action was mailed to the address of record on December 4, 2001. Applicant has provided a copy of the Office action bearing a stamped date of receipt of February 11, 2002 at the correspondence address of record. However, as explained in the petition, the mail is date stamped in the Docketing Department. Since the mail is received in Office Services section of the firm, and then distributed to the Docketing Department, there may have been delay in handling the mail between the Office Services section and the Docketing Department. In other words, the actual receipt date of the mail at the firm is not reflected in the evidence submitted. Therefore, the petition is dismissed.

The application is being returned to central storage files to await applicant's response to the Office action mailed December 4, 2001.

Telephone inquiries relative to this decision should be directed to Special Programs Examiner Kenneth Dorner at (703) 308-0866.

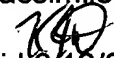


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Kjd:6/12/02